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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,424	08/15/2001	Steven French	AUS920000811US1	1548

7590 08/17/2004
Joseph R. Burwell
Law Office of Joseph R. Burwell
P.O. Box 28022
Austin, TX 78755-8022

EXAMINER

POLLACK, MELVIN H

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 08/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/930,424

Applicant(s)

FRENCH ET AL.

Examiner

Melvin H Pollack

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-28 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 8/15/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/15/01.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: see attached office action.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 10-12, and 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Rochford et al. (6,633,312).

3. For claim 1, Rochford teaches a method (abstract) for management of a distributed data processing system (col. 1, lines 5-10), the method comprising:

- a. Configuring geographic location information for resources within the distributed data processing system (Fig. 2B, #215);
- b. Identifying router systems within the distributed data processing system (Fig. 4B, #214);
- c. Determining a set of router systems that are closest to a geographic boundary (col. 1, line 40 – col. 2, line 50, esp. col. 2, lines 15-25); and
- d. Generating a geographic router boundary resource for the set of router systems (col. 3, line 35 – col. 4, line 10).

4. For claim 2, Rochford teaches associating two or more geographic router boundary resources to create a secure boundary between two or more geographic regions (col. 14, line 30 – col. 15, line 5).

5. For claim 10, Rochford teaches that the method further comprises:
 - a. Representing the distributed data processing system as a set of scopes, wherein a scope comprises a logical organization of network-related objects (col. 7, line 40 – col. 8, line 50);
 - b. Associating each scope with a management customer, wherein each scope is uniquely assigned to a management customer, wherein each scope is uniquely associated with a set of configuration parameters for managing each scope (col. 13, lines 10-25);
 - c. Managing the distributed data processing system as a set of logical networks, wherein a logical network comprises a set of scopes, and wherein each logical network is uniquely assigned to a management customer (Fig. 3A – 5C); and
 - d. Allowing an administrative user to dynamically reconfigure logical networks within the distributed data processing system (col. 17, line 20 - col. 18, line 25).
6. Claims 11, 12, and 20 are drawn to a hardware system that implements the method drawn in claims 1, 2, and 10. It is well known in the art that a system implementation is functionally equivalent to the underlying method. Therefore, since claims 1, 2, and 10 are rejected, claims 11, 12, and 20 are also rejected for the reasons above. A teaching that shows the functional equivalence will be included upon request.
7. Claims 21 and 22 are drawn to a software system that implements the method drawn in claims 1 and 2. It is well known in the art that a system implementation is functionally equivalent to the underlying method. Therefore, since claims 1 and 2 are

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rejected, claims 21 and 22 are also rejected for the reasons above. A teaching that shows the functional equivalence will be included upon request.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3, 13, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rochford as applied to claims 1, 11, and 21 above, and further in view of Taghadoss (6,052,722).

10. For claim 3, Rochford does not expressly disclose configuring user security parameters for controlling access to the geographic router boundary resource. Taghadoss teaches this limitation (col. 4, lines 5-25) within a geographical portion (col. 5, lines 40-45) monitoring system (abstract; col. 1, lines 5-15). At the time the invention was made, one of ordinary skill in the art would have used security parameters to ensure that the network's representation is accurate, i.e. unchanged (col. 2, lines 10-25).

11. Claim 13 is drawn to a hardware system that implements the method drawn in claim 3. It is well known in the art that a system implementation is functionally equivalent to the underlying method. Therefore, since claim 3 is rejected, claim 13 is also rejected for the reasons above. A teaching that shows the functional equivalence will be included upon request.

12. Claim 23 is drawn to a software system that implements the method drawn in claim 3. It is well known in the art that a system implementation is functionally

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equivalent to the underlying method. Therefore, since claim 3 is rejected, claim 23 is also rejected for the reasons above. A teaching that shows the functional equivalence will be included upon request.

13. Claims 4, 5, 14, 15, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rochford as applied to claims 1, 11, and 21 above, and further in view of Thebaut et al. (6,381,639).

14. For claim 4, Rochford does not expressly disclose authorizing user access to the geographic router boundary resource based on a user security parameter corresponding to the geographic location information. Thebaut teaches a method (abstract) of policy management (col. 1, lines 10-15; col. 2, lines 5-15) based on domain space (col. 3, lines 20-35; col. 14, lines 10-35) in which user access (col. 2, lines 35-40) is based on location (col. 3, lines 50-55). At the time the invention was made, one of ordinary skill in the art would have added this type of security feature to implement proper device configuration management (col. 5, lines 35-46).

15. For claim 5, Rochford does not expressly disclose authorizing user access to resources within a geographic region as indicated by the geographic router boundary resource based on a user security parameter corresponding to the geographic location information. Thebault teaches this method (col. 3, lines 50-55). At the time the invention was made, one of ordinary skill in the art would have added this type of security feature to implement proper device configuration management (col. 5, lines 35-46).

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16. Claims 14 and 15 are drawn to a hardware system that implements the method drawn in claims 4 and 5. It is well known in the art that a system implementation is functionally equivalent to the underlying method. Therefore, since claims 4 and 5 are rejected, claims 14 and 15 are also rejected for the reasons above. A teaching that shows the functional equivalence will be included upon request.

17. Claims 24 and 25 are drawn to a software system that implements the method drawn in claims 4 and 5. It is well known in the art that a system implementation is functionally equivalent to the underlying method. Therefore, since claims 4 and 5 are rejected, claims 24 and 25 are also rejected for the reasons above. A teaching that shows the functional equivalence will be included upon request.

18. Claims 6-8, 16-18, and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rochford as applied to claims 1, 11, and 21 above, and further in view of Lewis (6,430,712).

19. For claim 6, Rochford does not expressly disclose quarantining a set of devices within a geographic region as indicated by the geographic router boundary resource. Lewis teaches a method (abstract) of managing (col. 1, lines 15-25) multiple geographic domains (col. 1, lines 35-45) so that a single domain may be quarantined (col. 2, lines 15-45, esp. lines 30-40; "isolated"). At the time the invention was made, one of ordinary skill in the art would have added a Lewis monitoring system to Rochford in order to isolate network faults and to handle location-specific problems (col. 2, lines 15-20; col. 3, lines 5-10).

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20. For claim 7, Rochford does not expressly disclose unquarantining a set of devices within a geographic region. Lewis teaches this limitation, as shown above (col. 2, lines 30-40; "repair"). At the time the invention was made, one of ordinary skill in the art would have added a Lewis monitoring system to Rochford in order to isolate network faults and to handle location-specific problems (col. 2, lines 15-20; col. 3, lines 5-10).

21. For claim 8, Rochford does not expressly disclose disinfecting a set of devices within a geographic region as indicated by the geographic router boundary resource. Lewis teaches this limitation (col. 9, line 5 – col. 10, line 40). At the time the invention was made, one of ordinary skill in the art would have added a Lewis monitoring system to Rochford in order to isolate network faults and to handle location-specific problems (col. 2, lines 15-20; col. 3, lines 5-10).

22. Claims 16-18 are drawn to a hardware system that implements the method drawn in claims 6-8. It is well known in the art that a system implementation is functionally equivalent to the underlying method. Therefore, since claims 6-8 are rejected, claims 16-18 are also rejected for the reasons above. A teaching that shows the functional equivalence will be included upon request.

23. Claims 26-28 are drawn to a software system that implements the method drawn in claims 6-8. It is well known in the art that a system implementation is functionally equivalent to the underlying method. Therefore, since claims 6-8 are rejected, claims 26-28 are also rejected for the reasons above. A teaching that shows the functional equivalence will be included upon request.

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24. Claims 9, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rochford as applied to claims 1, 11 above, and further in view of Cromer et al. (6,397,249).

25. For claim 9, Rochford teaches that the method further comprises:

- a. Correspondingly representing endpoints, systems, and networks within the distributed data processing system as a set of endpoint objects, system objects, and network objects (col. 17, lines 20-40; col. 18, line 50 - col. 19, line 50); and
- b. Logically organizing the endpoint objects, system objects, and network objects within a set of scopes, wherein each endpoint object, each system object, and each network object is uniquely assigned to a scope such that scopes do not logically overlap (col. 5, lines 30-45).

26. Rochford does not expressly disclose dynamically discovering endpoints, systems, and networks within the distributed data processing system, but does disclose dynamic collecting of related information (col. 4, lines 40-65). Cromer teaches a method (abstract) for dynamically identifying physical locations (col. 1, lines 5-15) that fulfill this limitation (col. 2, lines 1-20). At the time the invention was made, one of ordinary skill in the art would have added these limitations to Rochford in order to track computers and their movements (col. 1, lines 30-65).

27. Claim 19 is drawn to a hardware system that implements the method drawn in claim 9. It is well known in the art that a system implementation is functionally equivalent to the underlying method. Therefore, since claim 9 is rejected, claim 19 is also rejected for the reasons above. A teaching that shows the functional equivalence will be included upon request.

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Conclusion

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin H Pollack whose telephone number is (703) 305-4641. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Melvin H. Pollack
Patent Examiner


Paul H. Kang
Primary Examiner

MHP
05 August 2004